

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES N. HOLLINGER,

Plaintiff,

v.

READING HEALTH SYSTEM, et al.,

Defendants.

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CIVIL ACTION

NO. 15-5249

ORDER

AND NOW, this 14th day of July, 2016, upon consideration of the defendants' motion to dismiss (Doc. Nos. 17, 18), the plaintiff's response (Doc. No. 23), the defendants' reply (Doc. No. 26), the plaintiff's surreply (Doc. No. 29), the defendants' supplemental submission of authority (Doc. No. 32) and the plaintiff's response (Doc. No. 33), **IT IS HEREBY ORDERED** that:

1. The defendants' motion to dismiss (Doc. Nos. 17, 18) is **GRANTED in part** and **DENIED in part**.

2. Counts I and II of the plaintiff's amended complaint are **DISMISSED with prejudice**. Counts III and IV are **DISMISSED without prejudice**. The defendants' motion to dismiss is **DENIED** with respect to Count V.

3. The plaintiff shall file an amended complaint within twenty (20) days of the date of this Order.

BY THE COURT

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.